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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/774,241
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al.
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25654A

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 21-0718 IS HEREBY GIVEN.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	J. Michael Dixon Reg. No. 32,410
Signature	
Date	9/7/04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on this date 9/7/04

Typed or printed	Diane L. Hetzler		
Signature		Date	9/7/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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USPTO Fax No.

703-872-9306



PC25654A

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No : 10/774,241
Applicant : Louis Chupak, et al
Filed : February 6, 2004
Title : Antibacterial Agents
TC/A.U. : Unkown
Examiner : Not Yet Known
Docket No. : PC 25654A
Customer No. : 28880
Confirmation No :

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement as Provided by 37 CFR 1.97(b)

Dear Sir:

The Applicants submit that a Supplemental Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of the first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

As such, the Applicants respectfully requests consideration of the enclosed Supplemental Information Disclosure Statement and request that all references cited herein be printed on the face of the patent upon grant of the Application.

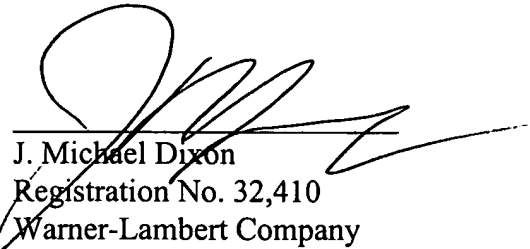
A copy of the International Search Report and the Written Opinion of the International Searching Authority is enclosed for the Examiner's convenience.

It is understood by the Applicants that this paper requires no fee; however, authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

Dated: _____

9/3/04

Respectfully submitted,



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(Use as many sheets as necessary)

Sheet	1	of	2
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Application Number	10/774,241
Filing Date	February 6, 2004
First Named Inventor	Louis Chupak, et al
Art Unit	Unknown
Examiner Name	Not yet assigned
Attorney Docket Number	PC25654A

[illegible]

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		
		WO02/59116A2	08-01-2002	Pharmacia & UPJOHN	
		WO00/10566	03-01-2000	Bristol-Myers Squibb	
		WO97/19089	05-29-1997	Pharmacia & UPJOHN	
		DE19909785A1	09-07-2000	Bayer AG	
		DE19907701A1	08-24-2000	Bayer AG	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/774241		
		Filing Date	February 6, 2004		
		First Named Inventor	Louis Chupak, et al.		
		Art Unit	Unknown		
		Examiner Name	Not yet assigned		
Sheet	2	of	2	Attorney Docket Number	PC25654A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		CHUNG-HO PARK ET AL: Antibacterials. Synthesis and Structure-Activity Studies of 3-Aryl-2-oxooxazolidines. 4. Multiply-Substituted Aryl Derivatives, J. Med. Chem. Vol. 35, No. 6, March 1992, pages 1156-1165.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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